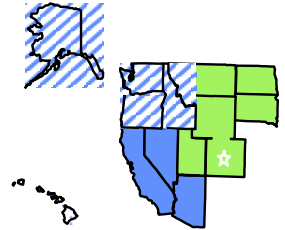




# US Army Environmental Center Western Regional Environmental Office REGION 9 – JANUARY 2004 **WESTERN REGION REVIEW**



The WESTERN REGION REVIEW provides current information on significant regulatory & legislative developments, as well as related information affecting US Army activities & operations in the Federal Region 9 area: Arizona, California, Hawaii and Nevada. We appreciate your feedback. Please contact the Western Regional Environmental Office, U.S. Custom House, 721 19<sup>th</sup> Street, Room 427, Denver, CO 80202-2500; phone: (303) 844-0954, or fax: (303) 844-0951.

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## FEDERAL AGENCY NEWS & REGULATORY DEVELOPMENTS



### ENVIRONMENTAL PROTECTION AGENCY (EPA) INFORMATION

#### AIR INFORMATION:

**FINAL RULE – NATIONAL EMISSION STANDARD FOR BENZENE WASTE OPERATIONS** – On 4 December 2003 (68 FR 67931), EPA issued final amendments to the national emission standard for benzene waste operations proposed on 12 November 2002. EPA also amended the rule to correct a cross-reference citation. The effective date of the amendments was 4 December 2003. For further information, contact Robert Lucas, EPA at (919) 541-0884, or e-mail: [lucas.bob@epa.gov](mailto:lucas.bob@epa.gov).

**FINAL RULE – NESHAP FOR MISCELLANEOUS COATING MANUFACTURING** – On 11 December 2003 (68 FR 69163), EPA promulgated national emission standards for hazardous air pollutants (NESHAP) for miscellaneous coating manufacturing facilities. The final rule establishes emission limits and work practice requirements for new and existing miscellaneous coating manufacturing operations, including process vessels, storage tanks, wastewater, transfer operations, equipment leaks, and heat exchange systems, and implements section 112(d) of the Clean Air Act by requiring all major sources to meet hazardous air pollutant (HAP) emission standards reflecting application of the maximum achievable control technology (MACT). The HAPs emitted from miscellaneous coating manufacturing facilities include toluene, xylene, glycol ethers, methyl ethyl ketone, and methyl isobutyl ketone. The final rule will reduce HAP emissions by 4,900 tons per year for existing facilities that manufacture miscellaneous coatings. The effective date of the rule was 11 December 2003. For further information, contact Randy McDonald, EPA at (919) 541-5402, or e-mail: [mcdonald.randy@epa.gov](mailto:mcdonald.randy@epa.gov).

**FINAL RULE – STANDARDS OF PERFORMANCE FOR BULK GASOLINE TERMINALS AND NATIONAL EMISSION STANDARDS FOR GASOLINE DISTRIBUTION FACILITIES** – On 19 December 2003 (68 FR 70959), EPA promulgated amendments to the Standards of Performance for Bulk Gasoline Terminals (48 FR 37590) and the National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (59 FR 64318). The amendments provide for the use of alternative leak test procedures for railcars, a clarification on monitoring flares and thermal oxidation systems, alternative recordkeeping requirements for tank trucks and railcars, and the use of flare design specifications. The amendments do not change the level of control or compromise the environmental protection achieved by the previous standards, but provide clarification and alternatives that enhance the flexibility of the recordkeeping and testing requirements of the two final rules. The rules were effective 19 December 2003. For further information, contact Julie Tankersley, EPA at (202) 564-7002.

**FINAL RULE – PREVENTION OF SIGNIFICANT DETERIORATION** – On 24 December 2003, (68 FR 74483), EPA took final action to revise implementation plans concerning the Prevention of Significant Deterioration (PSD) program mandated by the Clean Air Act. These revisions include changes to incorporate newly promulgated paragraphs in the Federal PSD rule into the Federal Implementation Plan portion of a state plan where a state agency does not have an approved PSD State Implementation Plan in place. Specifically, the revisions define equipment replacement activities that are not subject to Major New Source Review requirements under the routine maintenance, repair and replacement exclusion. The final rule was effective on 26 December 2003. For further information, contact Pamela Long, EPA at (919) 541-0641, or email: [long.pam@epa.gov](mailto:long.pam@epa.gov).

**FINAL RULE – NESHAP FOR SURFACE COATING OF MISCELLANEOUS METAL PARTS AND PRODUCTS** – On 2 January 2004 (69 FR 129), EPA promulgated NESHAP for miscellaneous metal parts and products surface coating operations located at major sources of HAP. The final rule implements section 112(d) of the Clean Air Act by requiring these operations to meet HAP emission standards reflecting the application of MACT. The organic HAPs emitted by these operations include xylenes, toluene, methyl ethyl ketone, phenol, cresols/cresylic acid, glycol ethers (including ethylene glycol monobutyl ether), styrene, methyl isobutyl ketone, and ethyl benzene. The final standards are expected to reduce nationwide organic HAP emissions from major sources in this source category by approximately 48 percent. The final rule was effective 2 January 2004. For further information, contact Kim Teal, EPA at (919) 541-5580, or e-mail: [teal.kim@epa.gov](mailto:teal.kim@epa.gov).

**NOTICE OF AVAILABILITY – EPA RESPONSES TO 8-HOUR OZONE AIR QUALITY DESIGNATION RECOMMENDATIONS** – On 10 December 2003 (68 FR 68805), EPA announced that it had posted its responses to States' and Tribes' 8-hour ozone air quality designation recommendations on the web. EPA's responses are available for public inspection at <http://www.epa.gov/ozonedesignations>. State and Tribal recommendations are also available at the same website. For further information, contact Sharon Reinders, EPA at (919) 541-5284, or e-mail: [reinders.sharon@epa.gov](mailto:reinders.sharon@epa.gov).

**NOTICE OF AVAILABILITY – AIR QUALITY CRITERIA FOR PARTICULATE MATTER** – On 30 December 2003 (68 FR 75240), EPA announced the availability for public review and comment of revised drafts of Chapters 7 and 8 of EPA's document "Air Quality Criteria for Particulate Matter," which incorporate revisions made in response to earlier external review of those chapters. Under sections 108 and 109 of the Clean Air Act, the purpose of this document is to provide an assessment of the latest scientific information on the effects of airborne particulate matter (PM) on the public health and welfare for use in EPA's current review of the National Ambient Air Quality Standards for PM. Comments are due by 31 January 2004. For further information, contact Dr. Robert Elias, EPA at (919) 541-4167, or link: <http://www.epa.gov/ncea/>.

### **WASTE INFORMATION:**

**PROPOSED RULE – COMPREHENSIVE PROCUREMENT GUIDELINE V FOR PROCUREMENT OF PRODUCTS CONTAINING RECOVERED MATERIALS** – On 10 December 2003 (68 FR 68813), EPA proposed an amendment to the 1 May 1995, Comprehensive Procurement Guideline (CPG) under the Resource Conservation and Recovery Act and the Executive Order "Greening the Government Through Waste Prevention, Recycling, and Federal Acquisition." Specifically, EPA proposed to revise the current compost designation to include compost made from manure or biosolids, and designate fertilizers made from recovered organic materials. EPA also proposed to consolidate all compost designations under one item called "compost made from recovered organic materials." EPA is required to designate items that are or can be made with recovered materials and to recommend practices that procuring agencies can use to procure designated items. Once EPA designates an item, any procuring agency that uses appropriated federal funds to procure that item must purchase the item containing the highest percentage of recovered materials practicable. Comments are due by 9 February 2004. For further information, contact Sue Nogas, EPA at (703) 308-0199.

### **WATER INFORMATION:**

**FINAL RULE – EFFLUENT LIMITATIONS, PRETREATMENT STANDARDS, AND NEW SOURCE PERFORMANCE STANDARDS FOR THE CENTRALIZED WASTE TREATMENT POINT SOURCE CATEGORY** – On 22 December 2003 (68 FR 71014), EPA amended certain provisions of a wastewater discharge regulation for the Centralized Waste Treatment (CWT) Point Source Category. EPA's action deleted the selenium limitations and standards from certain sections of Subpart A, the Metals Treatment and Recovery subcategory. In addition, it deleted the barium, molybdenum, antimony, and titanium limitations and standards from Subpart B, the Oils Treatment and Recovery subcategory, deleted the molybdenum, antimony, aniline, and 2,3-dichloroaniline limitations and standards from the Organics

Treatment and Recovery subcategory, and revised all applicable related sections of Subpart D, the Multiple Wastestreams subcategory, to reflect the preceding revisions. Finally this action increased the maximum monthly average BOD<sub>5</sub> limitation for directly discharging facilities subject to a section of the Multiple Wastestreams subcategory. The amendments were effective 22 December 2003. For further information, contact Elwood Forsht, EPA at (202) 566-1025, or e-mail: [forsht.elwood@epa.gov](mailto:forsht.elwood@epa.gov).

**NOTICE OF AVAILABILITY - NATIONAL RECOMMENDED WATER QUALITY CRITERIA FOR PROTECTION OF HUMAN HEALTH** – On 31 December 2003 (68 FR 75507), EPA announced the availability of updated national recommended water quality criteria for the protection of human health for the following fifteen pollutants: chlorobenzene; cyanide; 1,2-dichlorobenzene; 1,4-dichlorobenzene; 1,1-dichloroethylene; 1,3-dichloropropene; endrin; ethylbenzene; hexachlorocyclopentadiene; lindane; thallium; toluene; 1,2-transdichloroethylene; 1,2,4-trichlorobenzene; and vinyl chloride. The criteria are based on EPA's 2000 methodology for deriving human health water quality criteria and supercede prior criteria for these chemicals. Although the criteria provide guidance for protecting human health, they do not impose legally binding requirements. For further information, contact Cindy Roberts, EPA at (202) 566-1124, or e-mail: [roberts.cindy@epa.gov](mailto:roberts.cindy@epa.gov).

**NOTICE OF AVAILABILITY – PRELIMINARY EFFLUENT GUIDELINES PROGRAM PLAN FOR 2004/5** On 31 December 2003 (68 FR 75515), EPA published and invited comment on its preliminary Effluent Guidelines Program Plan for 2004/2005. Under the Clean Water Act (CWA), EPA establishes technology-based national regulations, termed "effluent guidelines," to reduce pollutant discharges from industrial facilities to waters of the United States. Section 304(m) of the CWA requires EPA to publish an Effluent Guidelines Program Plan every two years. Comments are due by 17 February 2004. For further information, contact Carey Johnston, EPA at (202) 566-1014, or e-mail: [johnston.carey@epa.gov](mailto:johnston.carey@epa.gov).

**NOTICE OF AVAILABILITY – STANDARDS FOR USE OR DISPOSAL OF SEWAGE SLUDGE** – On 31 December 2003 (68 FR 75531), EPA published the results of its review of regulations under the CWA governing the use and disposal of sewage sludge. The CWA requires that EPA review the sewage sludge regulations for the purpose of identifying additional toxic pollutants and promulgating regulations for such pollutants consistent with the requirements. As part of this review, EPA commissioned the National Research Council (NRC) of the National Academy of Sciences to independently review the technical basis of the chemical and microbial regulations applicable to sewage sludge that is applied to land. In July 2002, the NRC published a report entitled "Biosolids Applied to Land: Advancing Standards and Practices". In response to the report, EPA has identified 15 pollutants for possible regulation. This list constitutes the final results of EPA's current CWA review of existing sewage sludge regulations. For further information, contact Rick Stevens, EPA at (202) 566-1135, or e-mail: [stevens.rick@epa.gov](mailto:stevens.rick@epa.gov).

**NOTICE OF AVAILABILITY – APPLICABILITY OF SAFE WATER DRINKING ACT TO SUBMETERED PROPERTIES** – On 23 December 2003 (68 FR 74233), EPA announced a revision of its policy regarding applicability of Safe Drinking Water Act (SDWA) requirements for submetered water systems. The SDWA national primary drinking water regulations apply to public water systems that have their own water source, treat, or "sell" water. In revising its policy on submetering, EPA limited relief from primary drinking water sampling and analysis to apartments buildings and similar property types. EPA, however, does not require that submetered properties be regulated but rather leaves ultimate authority for these determinations to authorized state agencies. A public water system (including submetered systems) maintains responsibility for providing public notification under 40 CFR 141.201(c) (or approved state equivalent) to consumers. In addition, the public water system must make "good faith" efforts to provide the tenants with the annual Consumer Confidence Reports under 40 CFR 141.155(b). For further information, contact Ronald Bergman, EPA at (202) 564-3823.

### GENERAL INFORMATION:

**NOTICE OF AVAILABILITY – UNIFIED AGENDA UPDATED** – On 22 December 2003, the semiannual Unified Agenda of Federal Regulatory and Deregulatory Actions was updated. The Unified Agenda reports regulatory and deregulatory activities under development throughout the Federal Government.

EPA's section of the agenda is available at

<http://a257.g.akamaitech.net/7/257/2422/22dec20031200/edocket.access.gpo.gov/ua031222/pdf/ua031024.pdf>.

**NOTICE OF AVAILABILITY – DISCUSSION PAPER: NEUROTOXICITY OF TETRACHLOROETHYLENE (PERCHLOROETHYLENE)**

– On 30 December 2003 (68 FR 75241), EPA made available for public comment an external review draft paper entitled "Neurotoxicity of Tetrachloroethylene (Perchloroethylene): Discussion Paper" (EPA/600/P-03/005A). This document serves as background material about the potential adverse effects of perchloroethylene. The paper is available at <http://www.epa.gov/edocket> under Docket ID No. ORD-2003-0014. Comments are due by 1 March 2004. For further information, call (202) 564-3261.



**GENERAL INFORMATION**

**FINAL RULE – JOINT COUNTERPART ENDANGERED SPECIES ACT CONSULTATION**

**REGULATIONS** – On 8 December 2003 (68 FR 68254), the U.S. Fish and Wildlife Service (FWS) issued the final rule to streamline consultation under the Endangered Species Act to support projects undertaken as part of the National Fire Plan (NFP). The long-term strategy for the NFP is to correct problems associated with the disruption of natural fire cycles as a result of fire suppression policy or the presence of fire-prone non-native invasive species and to minimize risks to public safety and private property due to the increase in amount and complexity of the urban/wildland interface. The rule was effective 8 December 2003. For further information, contact Phil Williams, FWS at (301) 713-1401.

**FINAL RULE – REVISIONS TO HAZARDOUS MATERIALS INCIDENT REPORTING REQUIREMENTS**

On 3 December 2003 (68 FR 67745), DOT's Research and Special Programs Administration (RSPA) revised incident reporting requirements of the Hazardous Materials Regulations and the hazardous materials incident report form, DOT Form F 5800.1. Major changes adopted in this final rule include: 1) collecting more specific information on the incident reporting form; 2) expanding reporting exceptions; 3) expanding reporting requirements to persons other than carriers; 4) reporting undeclared shipments of hazardous materials; and 5) reporting non-release incidents involving cargo tanks. The final rule will be effective 1 July 2004. For further information, contact Glenn Foster, RSPA at (202) 366-8533.

**NOTICE OF AVAILABILITY – DOD DRAFT SELECTION CRITERIA FOR CLOSING AND**

**REALIGNING MILITARY INSTALLATIONS** – On 23 December 2003 (68 FR 74221), DoD issued draft criteria for selection of bases for closure by the 2005 Defense Base Closure and Realignment Commission. The draft criteria include: 1) the current and future mission capabilities and the impact on operational readiness of DoD's total force, including the impact on joint warfighting, training, and readiness; 2) the availability and condition of land, facilities and associated airspace at both existing and potential receiving locations; 3) the ability to accommodate contingency, mobilization, and future total force requirements at both existing and potential receiving locations to support operations and training; 4) the cost of operations and the manpower implications; 5) the economic impact on existing communities in the vicinity of military installations; and 6) **the environmental impact, including the impact of costs related to potential environmental restoration, waste management, and environmental compliance activities.** For further information, call (703) 614-5356.

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## **UPCOMING CONFERENCES, SYMPOSIUMS, AND TRAINING ANNOUNCEMENTS**

### **CERCLA ORIENTATION AND REMEDIAL INVESTIGATION/FEASIBILITY STUDY**

**27-27 January 2004 – Richland, Washington**

RTI is offering this course for personnel that have little or no experience in the basic background and implementation of CERCLA. Participants are provided with an in-depth review of the Remedial Investigation/Feasibility Study (RI/FS) process as it applies to environmental restoration programs. Following an overview of the CERCLA Process, the course focuses on the RI/FS process and addresses site characterization, risk assessment, and remedy selection issues. Attention is also given to public involvement in the cleanup process. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

### **2004 CONFERENCE ON SCIENCE, POLICY AND ENVIRONMENT**

**29-30 January 2004 – Washington, DC**

The National Council for Science and the Environment is presenting the 4<sup>th</sup> National Conference on Science, Policy and the Environment with the theme: "Water for a Sustainable and Secure Future." The conference will explore the role of science in achieving sustainable relationships among water, people, and the environment. For more information or to register, link: <http://www.ncseonline.org/NCSEconference/2004conference/>.

### **ENVIRONMENTAL IMPACTS OF PRESERVATIVE TREATED WOOD**

**8-11 February 2004 – Orlando, Florida**

The University of Florida and the National Science Foundation are sponsoring this conference to bring together experts in the field of preservative treated wood who will share research results and develop a research agenda for future studies. Conference topics include critical issues associated with preservative treated wood, and new technologies for managing discarded treated wood. For more information or to register, call (352) 392-1701, or link: <http://fices.org>.

### **McCOY RCRA SEMINAR**

**9-13 February 2004 – Phoenix, Arizona**

**21-25 June – Portland, Oregon**

McCoy and Associates is offering this RCRA training with five sessions at each seminar: 1) RCRA Fundamentals; 2) Critical Generator Issues; 3) Advanced RCRA Topics I; 4) Advanced RCRA Topics II and Land Disposal Restrictions I; and 5) Land Disposal Restrictions II and RCRA Rules Under Development. The seminar is designed for hazardous waste generators, environmental managers, compliance specialists, environmental consultants, and environmental attorneys. For more information or to register, call (303) 526-2674, or link: <http://www.mccoyseminars.com>.

### **CLEANUP SITE CLOSURE: REGULATORY & ADMINISTRATIVE ACTIVITIES**

**17-18 February 2004 – Idaho Falls, Idaho**

RTI is offering this course for personnel who are involved in the planning and implementation of closure and post-closure activities at hazardous and mixed waste management facilities or environmental restoration projects. The course will provide an overview of RCRA requirements for landfills, storage pads, and contaminated areas. It will also cover effective ways to plan for the integration of closure among units regulated under different programs. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

**APPLIED CLEAN AIR ACT****17-19 February 2004 – Richland, Washington**

RTI is offering this course for environmental professionals who are responsible for implementation and monitoring of their facilities' compliance with the requirements of the Clean Air Act (CAA). The course provides detailed information on all facets of the CAA and the 1990 Amendments. It covers the fundamentals of air pollution such as abatement equipment, monitoring, and air dispersion models. For more information or to register, call (803) 652-8830, or link <http://www.rti.org>.

**HAZARDOUS WASTE MANAGEMENT AND MANIFEST INITIAL COURSE****23-27 February 2004 – Huntsville, Alabama**

The Army Corps of Engineers is offering this course to fulfill the initial training requirements of 49 CFR 172, Subpart H, as they relate to the management and transportation of hazardous waste and the use of a hazardous waste manifest. For more information or to register, call (256) 895-7448, or link: [http://pdsc.usace.army.mil/CourseListDetails1.asp?Cntrl\\_Num=223](http://pdsc.usace.army.mil/CourseListDetails1.asp?Cntrl_Num=223).

**HAZARDOUS WASTE MANAGEMENT AND MANIFEST REFRESHER COURSE****24-25 February 2004 – Huntsville, Alabama**

The Army Corps of Engineers is offering this course to fulfill the recurrent requirements of 49 CFR 172, Subpart H, as they relate to the management and transportation of hazardous waste and the use of a hazardous waste manifest. For more information or to register, call (256) 895-7448, or link: [http://pdsc.usace.army.mil/CourseListDetails1.asp?Cntrl\\_Num=429](http://pdsc.usace.army.mil/CourseListDetails1.asp?Cntrl_Num=429).

**DESIGN STRATEGIES FOR LOW-ENERGY, SUSTAINABLE, SECURE BUILDINGS****24-25 February 2004 – Tucson, Arizona**

The Department of Energy and the Federal Network for Sustainability are co-sponsoring this course, which is intended for designers, project managers, architects and engineers who work on federal agency projects. The course teaches the fundamentals of an integrated "whole building" approach to design that considers the structure and systems as a whole, and examines how they work best together to save energy and reduce environmental impact. For more information or to register, link: <http://fempcentral.com/workshops/registration.ws>.

**INTRODUCTORY HEALTH RISK COMMUNICATION WORKSHOP****24-26 February 2004 – Seattle, Washington****27-29 April 2004 – Honolulu, Hawaii**

The Army Center for Health Promotion and Preventive Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and use strategic partnerships and plans to support an organization's mission. The workshop will provide a basic understanding of the concepts, principles, and process of effective risk communication. Topics include: History and Philosophy of Risk Communication, Steps of the Risk Communication Process, Importance of Identifying, Understanding, and Collaborating with Key Stakeholders, Pitfalls to Effective Risk Communication, and Basic Tools for Engaging the Media. For more information or to register, link <http://chppm-www.apgea.army.mil/risk>.

**HISTORIC PRESERVATION LAW AND SECTION 106 COMPLIANCE****24-26 February 2004 – Jacksonville, Florida****20-22 April 2004 – San Antonio, Texas****20-22 July 2004 – Annapolis, Maryland**

This course emphasizes legal compliance with the National Historic Preservation Act Section 106 process using actual case studies. It addresses legislation and the process to meet the requirements of the law. Course content includes: the stewardship role; use of historic properties; and communications with related oversight agencies. For more information or to register, link: <https://www.cecos.navy.mil>.

**NATURAL RESOURCES COMPLIANCE****24-27 February 2004 – San Antonio, Texas****22-25 June 2004 – Aberdeen, Maryland**

This course offers instruction in specific natural resources laws, regulations, policies, Executive Orders, DoD instructions, and other guidance, noting Service-specific requirements. It addresses stewardship,

preservation and process; fish, game and wildlife management laws; protection of wetlands, waterways and other protected ecological areas; forest and land use management laws; and inter-service cooperation. This is an Inter-service Environmental Education Review Board (ISEERB approved) course. For more information or to register, link: <https://www.cecos.navy.mil>.

### **2<sup>ND</sup> ANNUAL ARMY ENVIRONMENTAL TRAINING SYMPOSIUM**

**1-5 March 2004 – Kansas City, Missouri**

The Army Engineer School is hosting this symposium to provide environmental training to installation (Active Army, National Guard, and Army Reserve) environmental personnel and installation stakeholders. Training topics include 1) satellite accumulation point operator; 2) hazardous materials handler; 3) HAZWOPER 8-hour refresher; 4) pollution prevention; and 5) spill prevention and response. For more information, call (573) 563-4124.

### **UXO/COUNTERMINE FORUM**

**9-13 March 2004 – St. Louis, Missouri**

This forum will address challenges in military sustainment through technical presentations, exhibits and networking events. It is intended to showcase cutting edge UXO and countermine technologies, ideas programs and partnerships for researchers, policy makers and program planners. For more information or to register, call (865) 379-7065, or e-mail: [TheForum@ImpactStrategicEvents.com](mailto:TheForum@ImpactStrategicEvents.com).

### **DSMOA NATIONAL WORKSHOP**

**15-18 March 2004 – Atlanta Georgia**

DoD is sponsoring this workshop for all DSMOA participants and hopes to have at least one program manager and one financial manager from each participating state in attendance. The workshop will include mini training sessions, large and small group presentations, panel discussions, and breakout sessions. Current issues from DoD and states' perspectives will be shared and discussed. For more information or to register, link: <http://www.ttclients.com/dsmoa2004>.

### **INTRODUCTION TO CULTURAL RESOURCE MANAGEMENT LAWS AND REGULATIONS**

**16-18 March 2004 – New Orleans, Louisiana**

**17-19 August 2004 – Bangor, Maine**

This course provides an integrated overview of all pertinent laws and regulations needed to understand and fulfill cultural resource management responsibilities. The curriculum is designed around a series of inter-related case studies discussed during the course. The course is taught in conjunction with the Advisory Council on Historic Preservation and is approved by the Inter-service Environmental Education Review Board (ISEERB). For more information or to register, link: <https://www.cecos.navy.mil>.

### **30<sup>TH</sup> ENVIRONMENTAL AND ENERGY SYMPOSIUM**

**5-8 April 2004 – San Diego, California**

The National Defense Industrial Association is presenting this symposium to provide a national forum for the exchange of technical information, government policy, regulations, programs, and law; and new ideas on environmental and energy issues, performance tracking, and areas of concern. The theme of the symposium is: "DoD Transformation Leading Towards Results-Based Environmental and Energy Programs." This event is intended for industry leaders, practitioners, environmental and energy officials, operators, and other personnel within government agencies. For more information, contact Naomi Mundy at (703) 247-9476, Or link: <http://www.ndia.org>.

### **NATIONAL ENVIRONMENTAL ASSISTANCE SUMMIT**

**19-22 April 2004 – Baltimore, Maryland**

EPA has announced the merger of the National Pollution Prevention Roundtable Spring Conference and the National Compliance Assistance Providers Forum. This summit, titled "One Environment/One Conference," will cover advances and innovations in environmental issues and solutions, pollution prevention, and compliance assistance programs, methods, technologies and environmental policies. For more information, call (202) 299-9701, or link: <http://www.p2.org/summit2004/>.



**ENVIRONMENTAL LAWS AND REGULATIONS****27-29 April 2004 – Richland, Washington**

RTI is offering this course for personnel new to the field of waste management environmental compliance or environmental restoration, as well as persons who need an update on recent changes in environmental laws and regulations. The course will address high level waste storage in tanks and treatment for disposal; low level waste disposal; mixed waste treatment, storage and disposal; environmental compliance associated with operational or restart issues; decommissioning activities; and materials transportation. For more information or to register, call (803) 652-8830, or link <http://www.rtii.org>.

**ACCELERATING SITE CLOSEOUT****15-17 June 2004 – Dallas, Texas**

The Federal Remediation Technologies Roundtable is sponsoring this conference with the theme: "Improving Performance and Reducing Costs Through Optimization." The goals of the conference are to: 1) outline long-term remediation liabilities and optimization needs and opportunities; 2) disseminate existing and emerging optimization strategies, technologies, tools, and science; 3) communicate lessons learned and identify technical, institutional, contractual, and other enhancements and encumbrances to achieving positive optimization results; and 4) present remedial optimization within the context of site-wide and multi-site management programs. For more information or to register, link: <http://www.clu-in.org/siteopt/siteopt.htm>.

**2004 COMMUNITY INVOLVEMENT CONFERENCE****15-18 June 2004 – Denver, Colorado**

EPA is sponsoring this 7<sup>th</sup> annual conference to share lessons learned and to establish and monitor its standards for community involvement. The conference will cover the entire scope of public participation, community involvement, partnership building, and outreach and education related to all aspects of environmental protection. For more information, link: <http://www.epancic.org/2004>.

**9<sup>TH</sup> ANNUAL JOINT SERVICES ENVIRONMENTAL MANAGEMENT CONFERENCE****16-19 August 2004 – San Antonio, Texas**

The National Defense Industrial Association is presenting this conference and exhibition ((formerly the Joint Services Pollution Prevention and Hazardous Waste Management Conference and Exhibition). The theme of the 2004 conference is "Sustaining the Force: Optimizing Readiness Through the Prevention of Pollution." For more information, contact Naomi Mundy at (703) 247-9476, Or link: <http://www.ndia.org>.

**ADVANCED RISK COMMUNICATION WORKSHOP****23-26 August 2004 – San Antonio, Texas**

The Army Center for Health Promotion and Preventive Medicine is presenting this workshop to instruct participants how to identify, build, maintain, and utilize strategic partnerships and plans to support an organization's mission. The workshop builds on the "Introductory Health Risk Communication Workshop" listed above (a pre-requisite for this course) and will provide participants with hands-on experience in applying the steps of the risk communication process, on-camera media practice, and seminar-style discussions of "hot" issues impacting military health and readiness. For more information or to register, call (410) 436-3515, or link <http://chppm-www.apgea.army.mil/risk>.

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## STATE REGULATORY DEVELOPMENTS, LEGISLATION, AND NEWS



## ARIZONA

### AIR INFORMATION:

**FINAL REGULATION – REVISION OF STATIONARY SOURCE PERFORMANCE STANDARDS** - The Arizona Department of Environmental Quality (DEQ) has adopted a statewide 20% opacity limit for certain stationary point source categories. The rule also sets forth a process by which a source may petition for an alternative opacity limit. The regulation will be effective 3 February 2004. For more information, contact Kevin Force at (602) 771-4480, or link: <http://www.sosaz.com/aar/2003/32/proposed.pdf>.

**PROPOSED REGULATION – SALT RIVER PM10 STATE IMPLEMENTATION PLAN** – The Arizona DEQ has proposed revisions to the Salt River PM10 state implementation plan (SIP). On 2 July 2002, EPA found Arizona's SIP for the Metropolitan Phoenix (Maricopa County), Arizona PM10 nonattainment area inadequate to attain the 24-hour particulate air quality standard at the Salt River PM10 monitoring site, a small portion of the nonattainment area, due to continued exceedances of the 24-hour PM10 standard in that area (67 FR 44369, effective 1 August 2002). The proposed revisions would apply Best Available Control Measures / Most Stringent Measures for all significant sources of PM10, to achieve attainment of the 24-hour National Ambient Air Quality Standard for PM10 by 31 December 2006, at the Salt River PM10 monitoring site. These measures would be applied to sources in the Salt River study area and to all similar sources throughout the Maricopa PM10 serious Nonattainment Area. Comments are due by 22 January 2004. For more information, contact Dena Konopka at (602) 771-2378, or link: <http://www.adeq.state.az.us/environ/air/plan/download/sr.pdf>.

### WATER INFORMATION:

#### **FINAL REGULATION – REVISION OF POLLUTANT DISCHARGE ELIMINATION SYSTEM RULES**

The Arizona DEQ has adopted amendments to update the Arizona Pollutant Discharge Elimination System (AZPDES) program rules to conform with updates to the National Pollutant Discharge Elimination System (NPDES) regulations. In addition, the amendments update the regulations that are incorporated by reference and make minor changes to other parts of the rule. The amendments will be effective 2 February 2004. For more information, contact Shirley Conrad at (602) 771-4632, or link:

<http://www.sosaz.com/aar/2003/37/proposed.pdf>.

### Legislative Developments

The 2003 legislative session began 12 January and ended 23 May. A summary of significant environmental bills that were passed and signed was included in the June Review. For more information on the legislative session, link <http://www.azleg.state.az.us>. The 2004 legislative session convened 12 January.



## CALIFORNIA

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### AIR INFORMATION:

#### **DIRECT FINAL RULE – DELEGATION OF NATIONAL EMISSION STANDARDS FOR HAZARDOUS**

**AIR POLLUTANTS** – On 19 December 2003 (68 FR 70726), EPA took direct final action to approve delegation requests for national emission standards for hazardous air pollutants for non-major sources from several local air pollution control agencies in California. This rule is effective on 17 February 2004, without further notice, unless EPA receives relevant adverse comments by 20 January 2004. If EPA receives such comments, it will publish a timely withdrawal in the Federal Register informing the public that this rule will not take effect. For further information, contact Mae Wang, EPA at (415) 947-4124, or e-mail: [wang.mae@epa.gov](mailto:wang.mae@epa.gov).

#### **DIRECT FINAL RULE – APPROVAL OF REVISED SAN DIEGO OPERATING PERMITS PROGRAM**

On 29 December 2003 (68 FR 74871), EPA took direct final action to approve revisions to the San Diego County Air Pollution Control District Operating Permits (Title V) Program. EPA is approving a rule revision that addresses a change in the major source threshold for volatile organic compounds (VOCs) and oxides of nitrogen (NO<sub>x</sub>). This change is based on the redesignation of San Diego County as in attainment of the federal one-hour ozone standard. As a result of this action, some sources that would have previously been considered major sources would no longer need to apply for a Title V permit. This rule is effective on 27 February 2004 without further notice, unless EPA receives adverse comments by 28 January 2004. If EPA receives such comment, it will publish a timely withdrawal in the Federal Register to notify the public that these revisions will not take effect. For further information, contact Kathleen Stewart, EPA at (415) 947-4119, or e-mail: [stewart.kathleen@epa.gov](mailto:stewart.kathleen@epa.gov).

**FINAL REGULATION – ENHANCED VAPOR RECOVERY** - The California Air Resources Board (CARB) has adopted amendments to its enhanced vapor recovery standards. The amendments include: (1) modification of the "dripless nozzle" standard; (2) certification and test procedure changes; (3) maintenance during certification testing; (4) cost-effectiveness methodology updates; and (5) a definition of "rigid" for rigid underground piping. The amendments were effective 4 January 2004. For more information, contact Cindy Castronovo at (916) 322-8957, or link: <http://www.arb.ca.gov/regact/evrtech/evrtech.htm>.

**FINAL REGULATION – OZONE TRANSPORT** – CARB has adopted amendments to its rules regarding the mitigation of ozone transport between airsheds in California. The amendments will: (1) require that upwind districts have the same "no net increase" permitting thresholds as their downwind districts; (2) add requirements to ensure that upwind districts are adopting and implementing "all feasible measures" as expeditiously as possible; (3) delete outdated best available retrofit control technology (BARCT) requirements; and (4) expand the existing provision that allows a limitation on the application of BARCT to include "all feasible measures" and take into account updated transport assessments. The amendments were effective 3 January 2004. For more information, contact Gayle Sweigert at (916) 322-6923, or link: <http://www.arb.ca.gov/aqd/transport/mitigation/tmlang.pdf>.

**FINAL REGULATION – SOUTH COAST ARCHITECTURAL COATINGS** – The South Coast Air Quality Management District has adopted amendments to its regulation of VOC emissions from architectural coatings. These amendments implement Phase III of Airborne Toxic Control Measure CTS-07, lower VOC limits in various coating categories, and seek emission reductions from clean-up solvents now exempt. The revised VOC limits have future effective dates from 1 January 2005 to 1 July 2007 to allow manufacturers adequate time to reformulate their products. For more information, contact Larry Bowen at (909) 396-2575, or link: [http://www.aqmd.gov/pub\\_edu/PAR1113.pdf](http://www.aqmd.gov/pub_edu/PAR1113.pdf).

**FINAL REGULATION – VENTURA COUNTY OPEN BURNING** – The Ventura County Air Pollution Control District has adopted amendments to its open burning regulations regarding prescribed and agricultural burning. The amendments: (1) change language for readability; (2) allow only plant material grown onsite to be burned; (3) prohibit the burning of fertilizer bags, stakes, and other non-plant material; (4) divide the morning burn period into two periods; (5) allow permit holders to dispense with 48-hour notice; and (6) restrict burning to individual locations on some burn days. The amendments were effective 11 November 2003. For more information, contact Mike Villegas at (805) 645-1412.

**FINAL REGULATION – VENTURA COUNTY SOLVENT CLEANING AND DEGREASING** – The Ventura County Air Pollution Control District has adopted amendments to its regulations regarding solvent cleaning and degreasing, cold cleaners and related revisions to Rule 23. The regulation prohibits the use of cleaning solvents containing more than 25 grams of reactive organic compounds per liter in degreasing tanks and handwipe operations. Operations likely to be affected include: (1) manufacturing; (2) maintenance operations; (3) automotive, truck, bus, and other machinery and equipment repair; (4) metal-working facilities; and (5) oilfield operations. The following cleaning operations would not be subject to these rules: (1) electronic components; (2) medical devices; (3) solar cells; (4) laser hardware; (5) scientific instruments; (6) high-precision optics; and (7) coating application equipment (such as paint guns, brushes, and rollers). The amendments will be effective 1 July 2004. For more information, contact Chris Frank at (805) 645-1409, or link: <http://www.vcapcd.org/pubs/Rules/Rule746/Rule%2074.6.doc>.

**FINAL REGULATION – VENTURA COUNTY ADHESIVES AND SEALANTS** - The Ventura County Air Pollution Control District has adopted amendments to its reasonably available control technology limits for adhesives and sealants. The amendments include: (1) deletion of the District's aerosol adhesive standard, which has been replaced by state standards; (2) ceramic tile standard of 65 g/l; (3) contact adhesive standard of 80 g/l; (4) cove base standard of 50 g/l; (5) drywall standard of 50 g/l; (6) fiberglass substrate standard of 80 g/l; (7) indoor carpet and carpet pad standard of 50 g/l; (8) multipurpose architectural standard of 70 g/l; (9) panel standard of 50 g/l; (10) rubber flooring standard of 60 g/l; (11) sheet-applied rubber lining operations standard of 850 g/l; (12) special purpose contact adhesive standard of 250 g/l; (13) structural wood member standard of 140 g/l; (14) subfloor standard of 50 g/l; (15) top and trim adhesive of 250 g/l; (16) VCT and asphalt tile standard of 50 g/l; (17) wood flooring standard of 100 g/l; (18) plastic foam substrate standard of 50 g/l; (19) porous material substrate standard of 50 g/l; (20) marine deck sealants standard of 760 g/l; and (21) other sealant primers standard of 750 g/l. The amendments will be effective 1 July 2004. For more information, contact Stan Cowen at (805) 645-1408.

**FINAL REGULATION – GASOLINE DISPENSING** - The Ventura County Air Pollution Control District has adopted amendments to its gasoline dispensing regulations. The revisions correct EPA-cited deficiencies in reverification test frequency requirements for vapor control systems. To correct these deficiencies, the District is requiring all gasoline dispensing facilities with a throughput of greater than or equal to 100,000 gallons per year to perform annual reverification tests for static pressure, dynamic pressure, and liquid removal rate. The amendments will be effective 1 July 2004. For more information, contact Don Price at (805) 645-1407, or link: <http://www.vcapcd.org/pubs/Rules/Rule70/Rule%2070.doc>.

**PROPOSED REGULATION – HEAVY-DUTY DIESEL TRUCK IDLING** – CARB has proposed regulations regarding fuel delivery tanker trucks and heavy-duty diesel truck idling reduction for new trucks. CARB is considering the following control measures: (1) require all new 2007+ model year heavy duty diesel vehicles to be equipped with an idle shutdown timer that turns off the engine after an expiration of 5 minutes of idle time; (2) for trucks with sleepers, allow the option for engines to be equipped with the automatic start/stop system; (3) allow the option to use auxiliary power units to reduce idling; (4) tie the idle limiting device as part of the heavy-duty on-board diagnostics system, to be implemented in the 2007+ model year, so that whenever there is a malfunction, the "check engine" light is illuminated; and (5) incorporate a functional inspection of idle limiting devices in the Heavy-Duty Vehicle Inspection Program. Comments are due by 21 January 2004. For more information, contact Daniel Hawetti at (626) 450-6149, or link: <http://www.arb.ca.gov/msprog/truck-idling/workshop-notice-05-09-2003.pdf>.

**WATER INFORMATION:**

**FINAL REGULATION – GENERAL WASTE DISCHARGE REQUIREMENTS** - The California Water Resources Board (CWRB) has adopted general waste discharge requirements (WDR) for low threat discharges to land. The following discharges to land will be eligible for regulation under the general WDRS: (1) well development discharge; (2) monitoring well purge water discharge; (3) boring waste discharge; (4) water main/storage tank/hydrant flushing; (5) pipeline/tank hydrostatic testing discharge; (6) commercial and public swimming pool discharge; (7) small temporary dewatering projects; (8) small inert solid waste disposal operations; and (9) cooling discharges. The requirements were effective 30 April 2003. For more information, contact Gordon Innes at (916) 341-5517.

**FINAL EMERGENCY REGULATION – FEE SCHEDULES AND WATER RIGHT AND WATER QUALITY CERTIFICATION PROGRAMS** – CWRB has adopted emergency regulations to its water right and water quality certification fee. In Fiscal Year 2003-2004, the Budget Act requires the Board's water right program to be supported by fee revenues totaling \$4.4 million. Senate Bill 1049 requires the Board to adopt emergency regulations revising and establishing fees to be deposited in the Water Rights Fund. The regulation was effective 15 December 2003. For more information, contact Debbie Irvin at (916) 341-5128, or link: [http://www.waterrights.ca.gov/fees/draft%20e\\_regs%20120103.pdf](http://www.waterrights.ca.gov/fees/draft%20e_regs%20120103.pdf).

**DRAFT GUIDELINES – LISTING WATERS AS IMPAIRED** – CWRB has developed draft guidelines for the regional boards for use in listing impaired water bodies and in preparing TMDLs for those bodies. The guidelines will include: (1) acceptable data quality; (2) factors for listing and de-listing waters; (3) criteria for prioritizing listed water bodies; and (4) public notice procedures. Comments are due by 11 February 2004. For more information, contact Matt St. John at (707) 570-3762, or link: <http://www.swrcb.ca.gov/tmdl/tmdl.html>.

**Legislative Developments**

The 2003 legislative session began 7 January and ended 12 September. A summary of significant environmental bills that were passed and signed was included in the November Review. For more information on the legislative session, link <http://www.leginfo.ca.gov/index.html>. The 2004 legislative session convened 5 January.

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## HAWAII

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### Regulatory Developments & Other State Information

No significant regulatory activities to report.

### Legislative Developments

The 2004 legislative session will begin 21 January and end 5 May. For current information on the legislative session, link <http://www.capitol.hawaii.gov/sessioncurrent/bills>.



## NEVADA

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### Regulatory Developments & Other State Information

No significant regulatory activity to report.

### Legislative Developments

The 2003 legislative session began 3 February and ended 2 June. A summary of significant environmental bills that were enacted and signed was included in the July Review. For more information on the legislative session, link <http://www.leg.state.nv.us/>. Nevada will not have a regular legislative session in 2004.

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